

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE (WILMINGTON)**

ROBERT H. AYLOR, JR., On Behalf of Himself x  
and All Others Similarly Situated, :

Plaintiff, :

vs. :

XYBERNAUT CORPORATION, EDWARD G. :  
NEWMAN, STEVEN A. NEWMAN, M.D., and :  
THOMAS D. DAVIS, :

Defendants. :

Case No. 1:05-cv-00222 (SLR)

**[Caption continues on next page]**

**DECLARATION OF RALPH SIANNI IN SUPPORT OF THE MOTION OF THE  
JAMES GROUP FOR CONSOLIDATION, APPOINTMENT AS LEAD PLAINTIFF  
AND FOR APPROVAL OF ITS SELECTION OF LEAD COUNSEL**

**MILBERG WEISS BERSHAD  
& SCHULMAN LLP**

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Ralph N. Sianni (#4151)  
919 N. Market Street, Suite 411  
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--and--

**MILBERG WEISS BERSHAD  
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**HOLMAN LAW OFFICE**

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***Plaintiff's Counsel***

Dated: June 14, 2005

**STULL, STULL & BRODY**

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Aaron Brody  
Tzivia Brody  
6 East 45<sup>th</sup> Street  
New York, New York 10017  
Telephone: (212) 687-7230

***Proposed Lead Counsel***

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MOSHE TAL, On Behalf of Himself and All  
Others Similarly Situated,

Plaintiff,

vs.

XYBERNAUT CORPORATION, EDWARD G.  
NEWMAN, STEVEN A. NEWMAN, M.D., and  
THOMAS D. DAVIS,

Defendants.

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MICHAEL FEHRENBACHER, Individually and  
On Behalf of All Others Similarly Situated,

Plaintiff,

vs.

XYBERNAUT CORPORATION, EDWARD G.  
NEWMAN, M.D. STEVEN A. NEWMAN and  
THOMAS D. DAVIS,

Defendants.

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JEFFREY M. JASKOL and STACEY J. JASKOL,  
Individually and On Behalf of All Others Similarly  
Situated,

Plaintiff,

vs.

XYBERNAUT CORPORATION, EDWARD G.  
NEWMAN, STEVEN A. NEWMAN, M.D., and  
THOMAS D. DAVIS,

Defendants.

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Case No. 1:05-cv-00242 (SLR)

Case No. 1:05-cv-00256 (SLR)

Case No. 1:05-cv-00268 (SLR)

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JOSEPH DANIEL WAUHOP, On Behalf of  
Himself and All Others Similarly Situated,

Plaintiff,

vs.

XYBERNAUT CORPORATION, EDWARD G.  
NEWMAN, STEVEN A. NEWMAN, M.D.,  
THOMAS D. DAVIS, JOHN F. MOYNAHAN  
and GRANT THORNTON LLP,

Defendants.

Case No. 1:05-cv-00310 (SLR)

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[CHRISTINA W. DONNELLY, JOHN  
DONNELLY, JAMES G. WILLIAMSON and  
RICHARD W. DEARBORN, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

XYBERNAUT CORPORATION, EDWARD G.  
NEWMAN, STEVEN A. NEWMAN, THOMAS  
D. DAVIS and BRUCE C. HAYDEN,

Defendants.

Case No. 1:05-cv-00334 (JJF)

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CHARLES W. SMITH, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

Case No. 1:05-cv-00354 (SLR)

XYBERNAUT CORPORATION, EDWARD G.  
NEWMAN, STEVEN A. NEWMAN, THOMAS  
D. DAVIS, BRUCE C. HAYDEN and GRANT  
THORNTON LLP,

Defendants.

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x

I, Ralph Sianni, under penalties of perjury, hereby declare:

1. I am an associate of the law firm of Milberg Weiss Bershad & Schulman LLP. I submit this declaration in support of the Motion of the James Group For Consolidation, Appointment as Lead Plaintiff, and Approval of Its Selection Of Lead Counsel.

2. Attached hereto as Exhibit A is a true and correct copy of the PSLRA notice published by counsel for plaintiff in the first-filed related action on *PR Newswire* on April 15, 2005.

3. Attached hereto as Exhibit B is a true and accurate copy of the PSLRA certification of each of Kenneth James, La Rocca Pietro, Michael A. Farmakis, David S. Pennington, and Christina Donnelly (collectively, the “James Group” or “Movant”).

4. Attached hereto as Exhibit C is a chart analyzing the James Group’s financial interest in the litigation.

5. Attached hereto as Exhibit D is the firm resume of Milberg Weiss Bershad & Schulman LLP.

6. Attached hereto as Exhibit E is the firm resume of Stull, Stull & Brody.

Dated: June 14, 2005

/s/ Ralph N. Sianni  
Ralph N. Sianni  
(DSBA # 4151)